

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Just Funky, LLC,	)	Case No. 5:21-cv-01127-SL
	)	
Plaintiff,	)	
	)	
v.	)	Judge: Sara Lioi
	)	
Boom Trendz, LLC, Melissa Carpenter, and	)	
Deepak Tyagi,	)	<b>REPORT OF PARTIES PLANNING</b>
	)	<b>MEETING</b>
Defendants.	)	
	)	

1. Pursuant to Fed. R. Civ. P. 26(f) and LR 16.3(b)(3), a meeting was held telephonically on August 16, 2021, and was attended by:

Adam Primm, Counsel for Plaintiff Just Funky, LLC; and

Kimberly Hall, Counsel for Defendant Boom Trendz, LLC and Melissa Carpenter.

Carrie Dyer, Counsel for Defendant Deepak Tyagi.

2. The parties:

\_\_\_\_\_ have exchanged the pre-discovery disclosures required by Fed. R. Civ. P. 26(a)(1) and the Court's prior order;

  X   will exchange such disclosures by August 24, 2021;

\_\_\_\_\_ have not been required to make initial disclosures.

3. The parties recommend the following track:

  X   Expedited \_\_\_ Standard \_\_\_ Complex \_\_\_ Administrative \_\_\_ Mass Tort

4. This case is suitable for one or more of the following Alternative Dispute Resolution ("ADR") mechanisms:

\_\_\_\_\_ Early Neutral Evaluation \_\_\_\_\_ Mediation \_\_\_\_\_ Arbitration

\_\_\_\_ Summary Jury Trial \_\_\_\_ Summary Bench Trial  X  Case not suitable for  
ADR

5. The parties \_\_\_\_ do/  X  do not consent to the jurisdiction of the United States  
Magistrate Judge pursuant to 28 U.S.C. § 636(c).

6. Recommended Discovery Plan:

a. Describe the subjects on which discovery is to be sought and the nature and  
extent of discovery:

Plaintiff seeks discovery regarding: the formation and operation of Boom Trendz, LLC; the  
sources and scope of Defendants' contacts with current, former, and potential vendors, suppliers,  
manufacturers, licensors, and customers; Defendants' communications with current or former  
employees of Plaintiff; Defendants' access to, possession, and/or use of Plaintiff's confidential,  
proprietary information and trade secrets; an accounting of Defendants' revenues; and any  
information regarding Defendants' violation of any restrictive covenants inuring to the benefit of  
Plaintiff. Discovery is phased due to expedited requests for Preliminary Injunction hearing with  
general discovery following Preliminary Injunction hearing.

The parties are exploring resolution at this time and, in furtherance thereof, at the instruction of  
the Court, have engaged in informal discovery and ongoing settlement negotiations.

7. Recommended dispositive motion date: January 31, 2022.

8. Recommended expert discovery date:

Expert report(s) by party initially seeking to introduce expert testimony  
recommended due date: January 3, 2022.

Responsive expert report(s) due date: January 17, 2022.

9. Recommended cut-off date for amending the pleadings and/or adding additional parties: August 31, 2021.

10. Recommended date for Status Hearing: September 7, 2021.

11. Recommended date for Settlement Conference: December 13, 2022.

12. Other matters for the attention of the Court:

Dated: August 16, 2021

Respectfully submitted,

/s/ Adam E. Primm

ADAM E. PRIMM (0086375)  
DANIEL CIANCHETTA (0089736)  
**BENESCH, FRIEDLANDER,  
COPLAN & ARONOFF LLP**  
200 Public Square, Suite 2300  
Cleveland, OH 44114-2378  
T: 216-363-4500  
F: 216-363-4588  
E: [aprimm@beneschlaw.com](mailto:aprimm@beneschlaw.com)  
[dcianchetta@beneschlaw.com](mailto:dcianchetta@beneschlaw.com)

*Attorneys for Plaintiff Just Funky, LLC*

/s/ Kimberly L. Hall (via email consent)

Eric T. Michener (0074559)  
Kimberly L. Hall (0090677)  
**Critchfield, Critchfield &  
Johnston, Ltd.**  
225 N. Market Street  
Wooster, OH 44691  
T: 330-264-4444  
F: 330-263-9278  
E: [michener@ccj.com](mailto:michener@ccj.com)  
[khall@ccj.com](mailto:khall@ccj.com)

*Attorneys for Defendants Boom Trendz,  
LLC and Melissa Carpenter*

/s/ Carrie J. Dyer (via email consent)

Carrie J. Dyer (0090539)

**Mansell Law, LLC**

1457 S. High Street

Columbus, OH 43207

T: 614-610-9899

F: 614-547-3614

E: carrie@manselllawllc.com

*Attorney for Defendant Deepak Tyagi*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/ Adam E. Primm  
ADAM E. PRIMM  
*One of the Attorneys for Plaintiff Just Funky,  
LLC*